

## REMARKS

Claims 1, 2, 5-10, 23-25, 28, 29 and 37 were pending. Claim 2 was allowed. Claims 23-25 were objected to. The Office rejected claims 1, 5-10, 28, 29 and 37. Applicants have herein amended claim 23 to correct a typographical mistake. Claims 5, 28, 29 and 37 have been cancelled without prejudice to presentation in future, related applications.

New claims 38-42 have been added and are directed at methods of making recombinant vectors, methods of making recombinant host cells, methods of producing polypeptides, and the products of such methods. Applicants respectfully request entry of these claims as each relates to the isolated nucleic acid molecule of claim 2 which has already be indicated to be allowable.

In the event that the Office believes that a new search would be necessitated by the entry of new claims 38-42, Applicants respectfully invite the Examiner to contact the undersigned to discuss means to expedite the prosecution of claims to allowance.

No new matter has been added.

Upon entry of this paper, claims 1, 2, 6-10 and 23-25 will be pending.

### Preliminary Matters

Applicants wish to thank the Examiner for the helpful suggestions made during a recent telephone conversation with the undersigned. As discussed with the Examiner, claim 1 as previously amended appears to be free of the present rejection under 35 U.S.C. § 112, first paragraph (written description).

### Claim Rejections under 35 U.S.C. § 112, first paragraph

Claims 1, 5-10, 28, 29 and 37 were rejected as allegedly failing to satisfy the written description requirement. The Office alleges that the claimed genus "embraces a myriad of sequences that have not been adequately described in the art or in the instant disclosure. Applicants do not agree as one skilled in the art would readily appreciate that the inventors were in possession of the claimed invention at the time of filing.

Notwithstanding the foregoing and solely in an attempt to move the pending claims to allowance, Applicants have cancelled claims 5-10, 28, 29 and 37 without prejudice, the subject matter of which may be pursued in continuing applications.

In view of the above, Applicants respectfully request that the rejections under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

#### **Claim Objections**

Claims 23-25 were objected to due to the apparent unintentional omission of a word in claim 23. As suggested by the Examiner, Applicants have amended claim 23 to correct this typographical error. Accordingly, Applicants respectfully request the withdrawal of the objections to claims 23-25.

#### **Allowable Subject Matter**

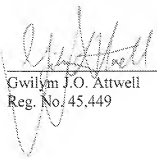
Applicants note with appreciation the Examiner's indication that claims 2 and 23-25 are free of the searched art of record. As discussed with the Examiner, claim 1 also appears to be free of the searched art of record.

### CONCLUSION

The foregoing represents a *bona fide* attempt to advance the present application to allowance. Applicants respectfully assert that all claims are in condition for allowance, which action is hereby requested. The Examiner is invited to telephone the under-signed attorney at (302) 778-8458 if such would expedite prosecution.

Respectfully submitted,

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